

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**

**B.P.J., by her next friend and mother,
HEATHER JACKSON,
Plaintiff,**

v.

**Civil Action No. 2:21-cv-00316
Honorable Joseph R. Goodwin, Judge**

**WEST VIRGINIA STATE BOARD OF EDUCATION,
HARRISON COUNTY BOARD OF EDUCATION,
WEST VIRGINIA SECONDARY SCHOOL
ACTIVITIES COMMISSION, W. CLAYTON BURCH
in his official capacity as State Superintendent, and
DORA STUTLER in her official capacity as
Harrison County Superintendent,
Defendants,**

And

**LAINIEY ARMISTEAD,
Defendant-Intervenor.**

**WVSSAC'S MOTION IN LIMINE TO PRECLUDE USE
OF HARRISON COUNTY'S 30(B) TESTIMONY OUTSIDE SCOPE**

Now comes West Virginia Secondary School Activities Commission (WVSSAC), by counsel, Roberta F. Green, Kimberly M. Bandy, Shannon M. Rogers and Shuman McCuskey Slicer PLLC, and, pursuant to Federal Rules of Evidence 105, 401-03, and Federal Rules of Civil Procedure Rule 30(b), moves the Court for an order in *limine* to preclude use of Superintendent Dora Stutler's testimony beyond the scope of her designation when and to the extent that said testimony addresses WVSSAC on the basis that the testimony beyond the areas of designation is speculative, not binding on WVSSAC and presents unnecessary complications, imprecisions, waste. Therefore, for these reasons and those set out further in the Memorandum In Support, WVSSAC moves the Court for an order in *limine*, precluding or limiting use of Superintendent

Stutler's testimony regarding WVSSAC, its rules, regulations and internal processes, beyond the areas of her designation.

**WEST VIRGINIA SECONDARY SCHOOL
ACTIVITIES COMMISSION,
By Counsel.**

/S/ Roberta F. Green

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CERTIFICATE OF SERVICE

I hereby certify that I, Roberta F. Green, have this day, the 22nd day of June, 2022, served a true and exact copy of the foregoing with the Clerk of Court using the CM/ECF System, which will send notification of such filing to the following counsel of record:

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